

NOMINATION OF DAVID JEREMIAH BARRON TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit.

NOMINATION OF ELISEBETH COLLINS COOK TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

NOMINATION OF JAMES WALTER FRAZER GREEN TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF LOUISIANA

NOMINATION OF DEIRDRE M. DALY TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF CONNECTICUT

NOMINATION OF DAMON PAUL MARTINEZ TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations, which the clerk will report.

The legislative clerk read the nominations of Elisebeth Collins Cook, of Virginia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2020; James Walter Frazer Green, of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years; Deirdre M. Daly, of Connecticut, to be United States Attorney for the District of Connecticut for the term of four years; and Damon Paul Martinez, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

VOTE ON COOK NOMINATION

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate prior to a vote on the Cook nomination.

Mr. SESSIONS. Madam President, I wish to express my support for the confirmation of my former staffer, Elisebeth Collins Cook, to serve on the Privacy and Civil Liberties Oversight Board. Ms. Cook loves her country. She is a true patriot, and a person of character, courage, and integrity.

Ms. Cook has had a distinguished legal career. She received her undergraduate degree from the University of Chicago in 1997 and her law degree from Harvard Law School in 2000. She graduated from both prestigious schools with honors. Following law school, Ms. Cook served as law clerk to Judge Lee Rosenthal of the Southern District of

Texas, and Judge Laurence Silberman of the D.C. Circuit.

In 2002, she joined the prominent law firm Cooper & Kirk here in Washington, DC. After working for the firm for 3 years, Ms. Cook was appointed Special Counsel to the Office of Legal Policy at the Department of Justice. In 2008, she was confirmed by the Senate without opposition to be assistant attorney general for OLP.

In 2009, Ms. Cook joined my staff as chief counsel for the Supreme Court nomination of now-Associate Justice Sonia Sotomayor. Her work was superb. She helped me to examine the important issues raised by that nomination on a high level without resorting to personal attacks on the nominee.

In 2010, she returned to private practice as a partner with Freeborn & Peters in Chicago, before returning to Washington, where she is currently counsel at the well-regarded law firm Wilmer Hale.

Ms. Cook has had a wide-ranging law practice, including general civil litigation, policy initiatives, and Federal criminal investigations. The quality of her work has not gone unnoticed. Among her more recent accolades are the Intelligence Community Legal Award, multiple attorney general awards, and recognition as one of *Legal Times*' "40 Under 40." In 2008, she received the Edmund J. Randolph Award for Service to the Department of Justice, the Department's highest award for public service and leadership.

Ms. Cook combines a powerful legal mind, broad experience, good judgment, and a strong interest in serving her country. She has excellent people skills and works well with others, even when she disagrees with them. Her tenure on the board thus far proves as much.

I have nothing but praise for Ms. Cook's abilities, and am confident she will continue to acquit herself as a member of the Privacy and Civil Liberties Oversight Board. I am pleased to recommend Ms. Cook to my colleagues and I hope they will support her confirmation to this important position.

Ms. KLOBUCHAR. Madam President, we yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Elisebeth Collins Cook, of Virginia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2020?

The nomination was confirmed.

VOTE ON GREEN NOMINATION

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on the Green nomination.

Ms. KLOBUCHAR. We yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of James Walter Frazer Green, of Lou-

isiana, to be United States Attorney for the Middle District of Louisiana?

The nomination was confirmed.

VOTE ON DALY NOMINATION

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on the Daly nomination.

Ms. KLOBUCHAR. We yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Deirdre M. Daly, of Connecticut, to be United States Attorney for the District of Connecticut?

The nomination was confirmed.

VOTE ON MARTINEZ NOMINATION

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Martinez nomination.

Ms. KLOBUCHAR. We yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Damon Paul Martinez, of New Mexico, to be United States Attorney for the District of New Mexico?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

NOMINATION OF DAVID JEREMIAH BARRON TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT—Continued

The PRESIDING OFFICER. The Senator from New Jersey.

IMMIGRATION REFORM

Mr. MENENDEZ. Madam President, a year ago the Senate Judiciary Committee reported out a piece of legislation that would do more than increase the gross domestic product, do more than reduce the deficit, do more than promote prosperity, and do more than create jobs. It passed legislation that would take 11 million people out of the shadows in America, prevent anyone from becoming a second-class citizen in this country, and finally establish comprehensive, commonsense immigration reform.

Today, 1 year later, it sits languishing in the House of Representatives and 11 million people wait and wait and wait. While they wait, while they hope that we come to our senses and govern as we should, the toll from inaction compounds: families suffer, children suffer, deportations continue, and injustice prevails.

There is a cost to our inaction, a cost those in the House of Representatives are forcing upon us, as we wait for them to act, that accrues every day. They claim they are for fiscal responsibility. Yet their inaction is costing us each year, on average, \$80 billion of

real GDP, \$40 billion in higher deficits, 40,000 STEM grads who earn a Master's or a Ph.D. in STEM fields from U.S. universities, 50 million in the Social Security trust fund, over 50,000 fewer jobs, and \$13.5 billion in lost revenue.

I hope our Republican colleagues in the House understand exactly what the cost of inaction is. I hope they understand that every minute we waste passing commonsense immigration reform is costing American taxpayers more and more, and the cost is on them, and the losses I view as Republican losses.

The fact is Republicans are acting as if nothing is at stake, as if there is no cost, as if the lives of people and families are not in the balance, and they could not be more wrong. Besides the economic cost of inaction, there is a very real human cost. Franklin Roosevelt once said, citing Dante, that, "Better the occasional faults of a government that lives in a spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference."

Let us not be frozen in the ice of our own indifference. Let us act, govern. I call on my Republican colleagues to warm their hearts and think about the costs of inaction not only in dollars and cents but in the lives of families and the future of this Nation. The legislation we are waiting for is a comprehensive way to tackle our immigration problem.

We are on the verge of historic change. I am proud to have been part of the Gang of 8 that hammered out a strong bipartisan effort that passed this institution with 67 votes. That is not usual these days for questions of great controversy.

I say to my friends in the other body: Do the right thing for America and, by the way, for your own party. Find common ground, lean away from the extreme, opt for reason, and govern with us.

In my view, the leadership in the other body has a chance to be American heroes, a chance to bring both sides together in an alliance that will ensure passage of this bill. I believe, based on poll after poll, that a vast majority of Americans want immigration reform to pass, and will thank them for doing the right thing. I hope they have the political will. I hope they have the political courage to unite the Nation and send this bill to the President's desk. I hope they will pass a bill that will increase the gross domestic product, reduce the deficit, promote prosperity, and create jobs.

As I have pointed out on this floor many times, this chart shows cumulative economic gains of the legalization process over 10 years after passage of this legislation. Fixing the broken immigration system would increase America's gross domestic product by over \$800 billion over the next 10 years; it would increase the wages of all Americans by \$470 billion over 10 years, and increase jobs by 121,000 per year for 10 years. That is over 1.2 million jobs.

What do we ever get to do here that increases the gross domestic product, reduces the deficit, raises the wages of all Americans, and creates 120,000-plus jobs per year? Very little. This legislation does that, not just simply because I say it but because the Congressional Budget Office said many of these figures were, in fact, a reality. Immigrants will start small businesses, they will create jobs for American workers, and it is time to harness that economic power.

The CBO report also tells us we reduce direct spending and the deficit by \$158 billion over the next decade, and by another \$685 billion more from 2024 through 2033. Let's remember, we are talking about almost \$1 trillion in deficit spending that we can lift off the backs of the next generation, exactly what our Republican friends demand. Yet they are balking in the face of achieving one of their very fundamental principles. What other single piece of legislation increases GDP growth, increases wages, increases jobs, and lowers the deficit?

The Center for American Progress found that fixing the broken immigration system would increase wages of all Americans by \$470 billion over 10 years and increase jobs by 121,000 per year. What we realize now and what the numbers tell us is that giving 11 million people a clear and defined earned pathway to citizenship is, in effect, an economic growth strategy that lowers the deficit and creates jobs. That is exactly what we are looking to do to move this economy forward.

New Americans who follow this pathway we lay out will have to play by rules. They will have to pass criminal background checks, they will have to pay a fine, they will have to pay their taxes. But if they do, there will be no obstacle they cannot overcome to the day when they raise their right hand and pledge allegiance to the United States and become a naturalized citizen.

Too many families have waited too long for that day. Too many have waited too long to say those words that will change their lives forever. They changed my mother's life, and, in turn, gave me a chance to stand here today and vote for a pathway to citizenship that can change the lives of millions of others.

But it is not just the economics of the legislation that creates the urgency of now, it is the human toll, the toll on millions living in the shadows. That can be pretty dark and frightening. Last year over 150,000 people were deported just for paperwork violations. Hundreds of thousands have been deported despite having U.S. citizen children. They are not criminals; they are hard-working families trying to make ends meet.

For many years I have asked the administration to stop deporting fathers and mothers, stop separating families, stop taking away parents from their U.S. citizen resident children. Let me

tell you about one of these cases, the case of Carlos Oliva-Guillen who was about to be deported away from his three U.S. citizen children, including his 7-month-old infant son who is suffering from a life-threatening disorder. The baby was on the verge of a coma and facing potential brain damage while his dad was in detention about to be deported.

The doctors needed to do a blood test on Carlos, the baby's dad, to see if the baby's illness is genetic. Thank God that Carlos was released and brought back to New Jersey so doctors could pursue these lifesaving tests and treatment.

Those tragedies continue as long as we do not have comprehensive immigration reform. With all of these economic benefits and the tremendous human suffering at stake, what are we waiting for? We are waiting for the House leadership to stand up to a minority—to a minority. We are waiting for Speaker BOEHNER to schedule a vote. We are waiting for reason to prevail, for our Republican friends in the other body to once and for all do what is right and think about the cost of inaction, not only in dollars and cents but in the lives of the families and the future of this Nation.

We are waiting for the Speaker to stop letting the most radical voices, such as STEPHEN KING, dictate the future of immigration reform. Speaker BOEHNER himself has publicly denounced Congressman KING for his "hateful language." Yet the only—the only—immigration-related vote the Speaker of the House of Representatives has allowed in the past year was for radical proposals to end DACA and deport our Nation's DREAMers. It is time for Speaker BOEHNER to stand for the majority of the Republican Party and of the Congress in the House of Representatives and remove STEPHEN KING's undeserved carte blanche on immigration policy.

If we had a vote in the House, the Senate bill as passed would pass. It would pass today. It would pass with both Democratic and Republican votes. We have the votes in the House to pass the Senate bill. We just need the will of a Republican leadership behind a bill that reduces the deficit, increases the GDP, creates jobs. I cannot understand, for the life of me, why they cannot break the stranglehold by a few against the will of the many.

Considering that there are enough votes in the House to pass the Senate bill and send it to the President, we deserve action. Eleven million people deserve, at the very least, the political courage to face down the extreme minority and do what is right and govern from the commonsense center.

Time is not on our side. There is a limited window of opportunity. We only have about another 2 months at most for the Speaker to act. So it is in the Speaker's hands. Does he want reform or doesn't he? I know I hear him say he does. I want to believe that. I will be the first to applaud him.

Speaker BOEHNER, however, on the one side said he wants to get immigration reform. The next thing I hear is that he questions the President's commitment to enforce the law as the reason why they are not moving forward on immigration reform, even as this President is deporting more people than the Bush administration. This administration has deported almost 2 million people. I do not understand. When the Speaker says, "We can't trust the President to enforce the law," it seems to me what he is calling for is even greater deportations than the greatest deportations that have taken place over the last Republican administration.

So saying the President isn't enforcing enough, the Speaker is really arguing for more deportations and has done nothing to stop those deportations.

The only conclusion we can draw is that my friends on the other side support the current dysfunctional system, and they do so at a cost to the country. They do so at a cost to families, and I also believe that beyond all the policy arguments that I have talked about—the GDP, the reduction in the deficit, the creation of jobs, the raising of wages, helping our agricultural industry through the ag jobs provision, helping our high-tech industries through the provisions of the legislation, and so many others—not only do they risk all of that and risk the families, but I believe they risk their political futures.

The road to the White House goes through the barrio, as my friend in the House of Representatives, Congressman GUTIÉRREZ, says. If we look at States across the country in which there are large immigrant populations who vote, who are U.S. citizens, and who look at this as the civil rights issue of their time, you cannot win the electoral votes of those States if you cannot find a way to a commonsense immigration reform. So their own futures, politically speaking, are at risk.

But even more than that political risk, our country is at risk—a risk that will hinder our own economic growth and leave millions in the shadows as second-class citizens, a risk that deportations will continue to tear parents away from their infants, despite the parents desperately seeking to register, get right with the law, and pay their taxes.

I thought that so many of my colleagues talk about the family values. Well, family values isn't about ripping families asunder. Family values isn't about ultimately saying that someone has a paperwork violation, so you rip them apart from their three American children—a risk that we will address as one of the greatest civil rights issues of our time.

I have cases in my office of U.S. citizens and legal permanent residents of the United States unlawfully detained in immigration raids because of the happenstance of where they live or what they look like or how they speak.

Who among us, who have the privilege of serving in this institution, is

ready to become a second-class citizen because of the happenstance of where you live, what you look like or how you speak, when you are a U.S. citizen or a legal permanent resident? This includes among others, in one case, an Iraq war veteran who was detained while his status was determined.

My first and foremost focus is on getting the House Republican leadership, after 1 year of this body's having passed an immigration bill, to either consider the Senate legislation or their own comprehensive version. That is the ultimate solution. Everything else is a bandaid. But let me be clear. There is a limited window of opportunity we have open to us until the end of July.

If Republicans do not act, they will have forced the President to ultimately use his executive powers on enforcement questions and on deportation relief.

Either they are tone deaf to the priorities of the Nation's largest-growing and fastest-growing minority or they are ignoring the will and interests of their own party and acting against their own stated goal of reducing the deficit.

They can keep finding excuses for inaction, but there are no more excuses. Enough is enough.

The community across the country is riveted in their attention as to what is going to happen in the House of Representatives. I hope that attention will ultimately be a joyful one if the House acts. But if it does not, it will reap the wrath of a community who sees this as the critical civil rights issue of their time and the consequences will be longstanding. I hope they meet the better angels that are within them and ultimately produce the comprehensive immigration reform the Nation needs for its security, for its economy, for doing the right thing as a nation of immigrants, by doing the right thing for those families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

KOCH BROTHERS

Mr. ROBERTS. Madam President, as the ranking member of the Rules Committee, I take no pleasure in making these remarks, but the circumstances have given me absolutely no choice.

Our distinguished majority leader recently came to this floor and declared that his minority colleagues—that would be us on this side of the aisle, Republicans—were "addicted to Koch."

To those who regularly watch our proceedings, however, it is clear who is suffering from this addiction.

Practically every morning our leader starts our session by giving a speech personally attacking David and Charles Koch and their families. The only thing he seems to do more often than block Republican amendments is attack the Kochs.

As distasteful as that is, it is apparently no longer sufficient. The problem with addiction, of course, is that as a tolerance develops, more and more of

the drug is needed to satisfy the craving.

So now we have learned that not only does the majority leader spend his mornings attacking the Kochs, but he spends his evenings doing so as well.

Last night, the majority leader attended an event in the Capitol Visitor Center—the CVC in the Capitol building—to promote a movie attacking the Kochs. Never mind that the regulations prohibit—prohibit—the use of the CVC space for any "campaign, commercial, promotional or profit-making purpose."

As House Administration Committee Chairman CANDICE MILLER said:

We cannot hold partisan political rallies or fundraisers on the grounds of the Capitol, or within its walls. Our work in this hallowed building must solely be in the interests of the American people and not in the interest of any political cause.

This event is just the latest demonstration of an apparent belief that the rules do not apply to the Democratic leadership. We now have another new precedent: a majority leader appearing in and then promoting a movie in the Capitol.

It also further demonstrates the hypocrisy of the majority's quest to stifle dissent. They celebrate and promote films that attack their opponents but want to outlaw films that criticize the majority Members and their agenda.

The irony of promoting a film to advance their campaign to restrict speech is apparently lost on the majority. So it is worth reminding them what the Citizens United case was really all about. It was about a movie—"Hillary: The Movie," to be precise. "Hillary: The Movie" was made in the wake of "Fahrenheit 9/11." Anyone who saw "Fahrenheit 9/11" knows that the purpose of the film was to convince people that George W. Bush was not worthy of the Presidency and should not be given a second term.

Anyone who saw "Hillary: The Movie" knows the purpose was to convince people that Hillary Clinton should not be elected President of the United States. I suspect that many of the people who went to see the movie in the CVC last night thought that "Fahrenheit 9/11" was great and "Hillary: The Movie" was terrible.

The point of the Citizens United case was that it really doesn't matter. It doesn't matter which film a majority in Congress might prefer. The producers have the right to make and distribute either one, and they can raise the money necessary to do so as they see fit, not subject to any restrictions or limitations imposed by the Congress. They are guaranteed that right by the First Amendment to the Constitution of the United States. This Congress cannot take that away.

Is that too difficult a concept to grasp? Isn't it obvious? Of course it is.

Yet the majority has spent the last 4 years misrepresenting it, and now it even wants to amend the Constitution to reverse it. That is just incredible.

In a press release announcing an upcoming hearing on the majority's amendment to the First Amendment, it was declared that it was necessary to "build support for amending the Constitution to ensure that all Americans can exercise their First Amendment rights."

It is not necessary to amend the First Amendment to ensure that all Americans can exercise their First Amendment rights. Those rights are already guaranteed by the First Amendment as written. The amendment the majority wants to impose would allow them to once again curtail those rights. Why can't we just be honest about this. Because of the Citizens United decision, people of all points of view now have the opportunity to make their views widely known. Even people who disagree with the majority in the Senate have that right, and we should all be very grateful.

I know the majority preferred a system where those who wished to criticize them were restrained in their ability to do so. They want to reimpose those restraints. I do not think they will succeed, but we should make clear what they want to do.

In their view, a corporation that happens to own a network, such as NBC or CNN, should be able to broadcast the movie they promoted last night as much as they want. If the networks wanted to show the movie every night of the week for 2 hours, that would be just fine with the majority.

But if somebody wanted to buy a 30-second ad during the airing of the movie to present an alternative point of view, that would be unacceptable. A 2-hour movie? No problem. A 30-second ad? Terrible. It can't be allowed.

That is simply absurd, but that was the reality before the Citizens United decision. Media corporations could do or say whatever they wanted. Other corporations, however, could not. Citizens United ended that ridiculous distinction and the majority has been trying to reinstate it ever since.

The majority claims they are concerned about wealthy donors. No, they are not. They are concerned about wealthy conservative donors.

According to the Los Angeles Times, the very film they promoted last night received financing from foundations and large individual donations. But those donations were OK, I suppose, because they went to promote a cause the majority supports—attacking the Koch family.

Likewise, billionaires who support the causes of the majority are not targeted. Billionaire former hedge fund manager Tom Steyer has indicated he intends to spend over \$100 million to influence the midterm elections.

Does the majority have any problem with that? Of course not.

Spending huge amounts of money in politics only concerns them if it is spent against them or on behalf of their opponents, but if it is spent to promote the majority and their agenda—no problem.

The majority leader has convinced himself, however, and seeks to convince the rest of us, that the Kochs are somehow unique, that the Koch brothers present some kind of evil threat, if you will, that other billionaires with different points of view do not pose. He seems to think that for everything bad that happens the Kochs are to blame.

Recently he claimed that they were one of the main causes of climate change. He said: "Not a cause, one of the main causes."

What do we make of such a statement? Could anything be more absurd? There are over 7 billion people on Earth, but our majority leader believes two men, Charles and David Koch, are a main cause of climate change.

What is that all about?

Just yesterday, the majority leader blamed the Kochs for the wildfires in California. What is next? Maybe the Kochs are to blame for the planes lost in the Bermuda Triangle? How about the volcanic eruption at Pompeii years ago or even the futility of the Chicago Cubs? That has to be the Koch family.

The majority leader convinces himself that his Koch obsession is justified because he believes their political involvement is motivated only by their own financial interest.

It is inconceivable to him that people might exist who simply disagree with him and his agenda and want to see the country take a different path. The reality is that there are millions of Americans who want to see this country take a different path, and the Koch family proudly supports that goal and has made donations to help achieve just that.

You will never hear it from the majority leader, but it is time someone presented the rest of the story about the Koch family. This family has pledged or contributed more than \$1 billion to cancer research, medical centers, education, the arts, and to assist public policy organizations—\$1 billion. Is that the act of a family motivated solely by financial interests? I don't think so. Of course not.

Consider a few of these gifts: \$100 million as a prime contributor for cancer research at MIT; \$100 million to the New York-Presbyterian Hospital to build a new ambulatory care center, plus \$28 million to other research causes; \$20 million to Johns Hopkins University for a cancer research center; \$30 million to the Memorial Sloan-Kettering Cancer Center in New York; \$26 million to the M.D. Anderson Cancer Center in Houston; \$26 million to the Hospital for Special Surgery in New York City for the Building on Success campaign and other causes; and \$35 million to the Smithsonian's National Museum of Natural History to renovate what is called dinosaur hall, which will include one of the largest and most complete *T. rex* specimens in the world; \$20 million to the Museum of Natural History; and \$65 million to the Metropolitan Museum of Art. Likewise, the David H. Koch Charitable Founda-

tion gave \$100 million for the preservation and renovation of Lincoln Center, home to the New York City Ballet and the New York City Opera.

All these acts of extraordinary generosity are completely ignored by the majority leader. They are ignored because the Koch family has committed one unforgivable sin: They have opposed him and the Democratic majority and President Obama. They present a threat to the Democrats' hold on power. That is why they are being demonized. That is why they are being attacked. That is why they are being vilified. That is why they have become his obsession.

They have had the temerity to challenge the agenda of this majority and its leader, and the leader is not happy about it and he wants it to stop. And it looks as if he will do anything he can to make it stop, up to and including amending the Constitution of the United States. I think that is a disgrace. It has demeaned this institution. It should stop. The first amendment doesn't exist to protect those of us in this body. It exists to protect the people. It is there to prevent us from silencing our critics. And thank God for that.

I wish the majority would recognize that they do not have the power to silence their critics. The first amendment denies them that power. I wish the majority leader would stop engaging in character assassination against citizens who choose to exercise their first amendment rights. And I wish he would stop acting as though he is the only person on Earth who can say whatever he wants. He isn't. We all have the right to express ourselves—all of us—from Michael Moore to Citizens United, from Tom Steyer to the Koch family. All of us have that right. All of us. Let's stop trying to deny it. Let's stop trying to change it. It is beneath us. It demeans this body, and it is wrong.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business, followed by the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Mrs. MURRAY. Madam President, I came to the floor today to take a few minutes and talk about a piece of legislation I have been working on, along with seven of my colleagues from this Chamber and from the House of Representatives. That legislation is called the Workforce Innovation and Opportunity Act. This is a long-overdue bill

that will reauthorize and improve the Workforce Investment Act—or WIA, as we call it—which includes dozens of critical workforce development programs in all 50 of our States.

This is an issue I have been working on for more than a decade. For several years now I have been very proud to work here in the Senate to reauthorize WIA, so I am very glad we are finally on a strong bipartisan path to get this done for families and businesses in Washington State and across the country who have been telling me how important effective workforce programs are for them and their communities.

The reason we were able to introduce such a strong bill this morning—and a bill that I think has a real chance to become law—is the incredible bipartisan process we have had over the last few months to reach a compromise between both parties and both Chambers. So I would like to thank each of the Members who helped me introduce the legislation this morning by name: in the House of Representatives, Representative JOHN KLINE, Republican from Minnesota; Representative GEORGE MILLER, Democrat from California; Representative VIRGINIA FOXX, Republican from North Carolina; and Representative RUBÉN HINOJOSA, Democrat from Texas; and here in the Senate, Senator TOM HARKIN, Democrat from Iowa and the great chairman of our HELP Committee; Senator LAMAR ALEXANDER, Republican from Tennessee; and finally my close partner and cohort in this process, who is here with me today, Senator JOHNNY ISAKSON from Georgia.

None of us got everything we wanted in the bill we introduced this morning, but all of us got legislation we believe in. It is a bill that will help our workers, and it will help our businesses and the economy for years to come.

I am as strong a supporter of our Federal workforce development program as anyone. I have seen firsthand in my home State of Washington workers who were laid off and who were able to get new training and new skills and new jobs. I have seen many of our Washington State businesses, from aerospace companies to video game design firms, that were able to access workers with the new skills they needed to grow and compete.

But the fact is that we have been relying on Federal workforce development programs that were written in the 1990s, and with millions of new jobs that will require postsecondary education and advanced skills in the coming years, we will fall behind in the world if we do not modernize our workforce development now. We have to make sure that when high-tech jobs of the 21st century are created, Americans are ready to fill them. That is what we have done in this bill. We have doubled down on the programs that work, we have improved the programs that have become outdated, and we have created a workforce system that is more nimble and adaptable and bet-

ter aligned with what businesses need and more accountable so we can continue to make it better. That is what we were sent here to do—work with our colleagues across the aisle for the American people. We had a House proposal and we had a Senate proposal and we met in the middle.

I can't count how many times Senator ISAKSON, my Republican colleague, and I have talked about the importance of getting this done. His office happens to be right next door to mine. So whether we were at a committee hearing or on a train to the Capitol, we were always focused on how we could work together and find a path to a deal.

We are not done yet. I am going to be working with my colleagues in the Senate—Democrats and Republicans—to get their support for this compromise, and our colleagues will be doing the same in the House of Representatives.

This is an all-too-rare opportunity for all of us to get behind a strong, bipartisan, bicameral bill that will help our workers and get our economy back on track. I am very proud of the work that went into this.

I yield to my colleague, Senator ISAKSON. This would not be on the floor today without his tremendous work and his work ethic and his willingness to work across the aisle to get this done. I sincerely thank him.

I yield the floor.

Mr. ISAKSON. I thank the Senator from Washington for her overly kind remarks with regard to my participation. To reiterate and underline what is in fact true, we were a team for 8 years when we both chaired and were ranking member of the Subcommittee on Employment and Workplace Safety in the HELP Committee. We time and again had gotten it to a point we thought we could pass it and then everything was falling apart.

We were at a huge divide and chasm at the beginning of this year. The House had passed the SKILLS Act; we had passed an act. They didn't think we did anything; we thought they did too much. It looked like a chasm too far to bridge, but because of the work of Senator MURRAY, my office, and Senator ALEXANDER's office—VIRGINIA FOXX, for whom I cannot say enough. She was the original author of the SKILLS Act. She came to the table with us, and we sat down one floor below this building, this floor right now. We sat down around a long table, and we started talking about the art of the possible, not the art of the impossible.

Here are the high points I wish to focus on: first of all, consolidation of programs that were not working to empower programs that were working; flexibility for Governors, both on what they can do with their one-stop shops, as well as their ability to transfer money for unemployed programs and underemployed programs; 100 percent transferability on the behalf of the

Governors; 15 percent total flexibility of the appropriations that come to them through the WIA—Workforce Investment Act—and workforce investment program.

We skinned down the board so you don't have these huge boards. Instead, you have boards that can work. We reduced their size by about 61 percent. We included management as a majority but labor at the table, to make sure all facets of work were there.

Most important, we empowered the States to write the kind of curriculum for the kind of training their State needed. We have 4 million unfilled jobs in America. We sometimes talk about all the unemployment—and we all hate the unemployment—but we have some underqualified people who are underemployed who can take better and bigger jobs available in America right now if we train them for these jobs.

So this new Workforce Innovation and Opportunity Act is just what it portends. It is an innovation in the WIA Program, and it is an opportunity for millions of Americans to find the training and skills necessary to find a job and keep a job, which is, in turn, good for our economy and good for our country.

But this is something that happened because people of good will on both sides of the aisle and both sides of the Capitol got together and said let's figure out what we can do rather than argue about what we can't do.

Chairman KLINE and Ranking Member MILLER in the House—whom I served with on that committee years ago—did a tremendous job. VIRGINIA FOXX was very willing to work and TIM SCOTT, the Senator from South Carolina, who was the author of the SKILLS version of Virginia's bill in the Senate. Chairman HARKIN deserves a lot of credit, particularly for his focus on those with disabilities, and we preserve the programs that make sense for people with disabilities, retraining them and giving them the training they need to have meaningful and skillful employment in the future.

But, most important of all, LAMAR ALEXANDER, the ranking member, kind of steered the ship. He was the rudder in the water who helped guide us to the point we got to today.

I am pleased both the Senate and the House Republican conferences have all had presentations. The feedback we have gotten to date is extremely favorable. We hope this is going to be one of those rare occasions in 2014 where Republicans and Democrats come together for the benefit of the American people to address the No. 1 problem we face in America; that is, unemployment and underemployment, and empower people through innovation and opportunity for jobs in the 21st century.

I will end where I began. It would not have happened without Senator MURRAY. I am grateful for her help and assistance and I am proud to be her partner.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. ISAKSON. Madam President, would the gentleman yield for 1 second?

Mr. DURBIN. I would be happy to yield.

Mr. ISAKSON. To Senator MURRAY, if I could talk about our staff. Tom Nguyen is behind me. I could not have done what I did in this bill without Tom Nguyen, and Senator MURRAY has an outstanding staff who worked for us. I wish to have the RECORD include the tremendous staff work both of us received.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I would like to extend a gracious thank you to staff from my office, senior advisor Scott Cheney; my chief of staff Mike Spahn; my Budget Committee staff director Evan Schatz; Stacy Rich and Emma Fulkerson from my floor and leadership staff; my communications team, especially Eli Zupnick and Sean Coit; and everyone else from my team, who have all worked very hard to move this bill forward.

I would like to thank the wonderful staff from Senator ISAKSON's office: Tommy Nguyen, staff director of the HELP Subcommittee on Employment and Workplace Safety; as well as Brett Layson and Michael Black.

I thank Chairman HARKIN's Health, Education, Labor and Pensions Committee team: senior education policy advisor Crystal Bridgeman; chief education counsel Mildred Otero; disability policy staff director Michael Gamel-McCormick; disability policy advisor Lee Perselay; Derek Miller, staff director of the HELP Committee; deputy staff director of the HELP committee Lauren McFerren; and labor policy advisor Liz Weiss; and many more who have helped.

I also thank the staff for Senator ALEXANDER: senior education policy advisor Patrick Murray; education policy director Peter Oppenheim; Bill Knudsen; and HELP Committee staff director David Cleary.

Finally I would be remiss if I didn't thank the professionals in the Senate Legislative Counsel's office, specially Liz King, Amy Gaynor, Kristin Romero, and Katie Grendon.

The PRESIDING OFFICER. The Democratic whip.

VETERANS HEALTH CARE

Mr. DURBIN. Madam President, I am honored to represent the 12.5 million people living in the State of Illinois, and it is a special honor to represent 745,000 veterans who live in my State. These men and women have served their country honorably. Many of them are leading great lives and making great contributions to our State. Some are struggling, returning from war with wounds—visible and invisible.

I came to speak to the issue involving the so-called VA scandal at the Arizona Hospital. What I have been told is

troubling. What I have been told is that there were secret waiting lists of veterans who were being unnecessarily delayed when they needed critical medical care. The allegations suggest that some of them may have died while on the waiting list. That is as cruel an allegation as anyone could make about anybody and particularly cruel when it applies to our veterans.

We are trying to investigate this, as we should. The President sent his Deputy Chief Rob Nabors, a person I know, to Arizona today, but we are not going to stop with that. We are going to do everything we can to make sure every veterans facility across America is serving our veterans in a timely and professional way. That includes, of course, those in the State of Illinois.

Tomorrow I will be meeting with General Shinseki in my office. He is the head of the Veterans' Administration. We are going to focus on Illinois, because in Illinois we have five VA medical centers, 30 outpatient clinics, and 11 veterans centers. I want to make certain there are no secret waiting lists at any of those facilities, and I want to make certain we are doing everything in our power to serve our veterans in a timely professional way.

We know the stories—the stories that have come out of these wars we are concluding now. The war in Afghanistan is winding down to a close. Iraq was over just a few months, maybe 1 year ago, but despite the end of these wars, it is not the end of the war for many veterans. They come home with needs—serious needs: post-traumatic stress disorder, traumatic brain injury, amputations, serious problems that will haunt them for some time.

We promised these men and women, if they would volunteer to serve our Nation, if they were willing to serve and even die for our Nation, we would never quit on them; that when they came home, we would stand by them.

We passed a GI bill on the floor of the Senate several years ago. Jim Webb was the Senator from Virginia, a Marine Corps veteran himself of the Vietnam war. He brought in a modern GI bill for those men and women currently serving, and it passed overwhelmingly with both political parties supporting it, as they should. In a place where we don't agree on much, we sure agreed on that. When it comes to veterans and the GI bill, we stood together. We have to do it again on a bipartisan basis.

I read the comments from President Obama this morning. I thought they were unsparing in terms of his personal concern over what has been reported.

I know we all honor the contribution made to America by General Shinseki, a disabled veteran himself from the Vietnam war. He is an extraordinarily good man. The question is whether he can fix this problem if one exists.

I don't know about the Arizona situation. We will wait until those facts come together. But this much I do know: Our Veterans' Administration has been overwhelmed by disability

claims coming in at rates that surpass this country's experience in any previous war. Almost half, almost 50 percent of Iraq and Afghanistan veterans are filing for disability benefits when they come home.

The backlog at the VA is 300,000 cases—applications for disability. They have been pending for more than 125 days—4 months. Some have been in the process for more than 1 year. It is an improvement—300,000 from 611,000, which was the case last year—but not good enough.

Illinois has cut its backlog in half as well. But when I read some of the delay times in making a decision at the VA, we will understand why we find this still unacceptable.

Seven years ago the average processing time for an Illinois veteran claim was 1 year, maybe 18 months. Appeals sometimes took 2 years. Today veterans tell us the claim will easily take 2 years to process, maybe longer, and an appeal may take 3 or 4 years. Compared to the numbers of 7 years ago, the numbers are much worse today. I understand there are more veterans who are applying, but it just means we need to put the resources in place to serve this surge of veterans looking for help.

The veterans who call my office are just asking for updates and accurate information about the claims and medical care. They want to know if somebody—anybody—at the VA is taking a look at their application. They get conflicting information from the VA.

Sometimes the VA calls them back and says: You have to send such and such a document.

The veteran says: I have already sent it.

That kind of frustration for someone who is coping with illness or problems is unacceptable, and it is certainly unacceptable when it comes to our veterans.

Even when claims are processed, there are cases of mistaken identity. A bad address leads to canceled benefits and checks, and it takes months to fix it. I am trying to help. As chair of the Appropriations Defense Subcommittee, I put \$3.6 million in the Defense Department to speed up the program that allows servicemembers' records to be transferred to the VA electronically so we can have at least a quicker response from the VA. I directed the DOD inspector general in my bill to work with the VA inspector general to streamline the transfer of records between the Departments.

Another way we tried to step up support for veterans is by creating the Caregiver Program at the Veterans' Administration. I will be the first to tell you this was not my idea. It was the idea of Senator Hillary Clinton of New York. She used to sit back there, and she came up with an idea: If members of a disabled veteran's family will stay home with them and help them get through, we ought to help those members of the family. She called it

the caregivers act. It didn't pass while she was here, but when she left I liked it enough to call her and say to the Secretary of State, Hillary Clinton: Do you mind if I steal your idea and try to pass it? She invited me to be her guest, and I did. With the support of Senator Danny Akaka, Senator PATTY MURRAY, and others, we made the caregivers act the law of the land, and now across America hundreds of spouses and parents who care for disabled veterans are getting a helping hand. We provide them medical training, nurses training so they can take care of their veteran. We give them respite care of up to 2 weeks a year so they can have some time off, a vacation to recharge their batteries. If they have a financial hardship, we provide a modest amount of money to help them get by. It is the right thing to do. These veterans get to stay home with families who love them. That is where they want to be. From our point of view as a government, just to put it down to dollars and cents, it is a lot cheaper when they stay home. So we do well and the veterans do well. That is a great outcome.

We have to expand the reach of caregivers assistance through the VA so at every veterans center there is a source of information to tell that veteran and the veteran's family: The Caregiver Program is there if you want to stay home. We want to help you stay home and be healthy as you do.

I think that is a good thing to offer the veterans. The ones I have met, there are some amazing stories in Chicago that truly warm your heart to know that those veterans, after what they have been through, can stay home with their families and be there with the people they love and who love them too.

There is another area I wish to mention. Our committee has pushed the Veterans' Administration to focus on the sustainability of orthotics and prosthetics. We are worried about the professional workforce that deals with these important parts of restoring a veteran's life.

Twenty percent of the orthotics and prosthetics workforce, about 7,000 clinicians, will retire over the next 5 years. We have never needed these specialists more than we need them today: 1,715 servicemembers lost limbs in Iraq and Afghanistan. Many have lost multiple limbs. The United States has 5 quadruple amputees and 40 triple amputees from these wars. The VA serves 40,000 people with limb loss every year. That is why I am focused on this—to get the professionals in the orthotics and prosthetics fields of medicine to be trained and ready to help these veterans in the years to come while others are retiring.

There are 745,000 veterans in my State, and not a single one of them should be deceived about what they can receive for their service nor delayed when it comes to seeing a doctor or having their claims processed. Not one of them should wait 2 years before they

start getting disability benefits. We have 5 VA Medical Centers, 30 outpatient clinics, and 11 Veterans Centers across Illinois, and we have to be there to serve them in a timely way.

None of these facilities has the right to mislead or lie to the veterans about what doctors they can see or what services they can receive. The Senate just added \$5 million to the budget of the inspector general at the Veterans Administration, and the Inspector General is now investigating 26 facilities.

One of the toughest votes that a Member of Congress is called on to cast is whether we should go to war. It has happened a few times in my career. You don't sleep well the night before, wondering how you are going to vote, and knowing that at the end of the day, even if this is a just and necessary war, innocent people will die, including innocent Americans. What I have come to learn over the years is that it is not just a matter of that simple decision to go to war, but it is the cost of war—the cost in human lives. Over 4,000 died in the war in Iraq, and over 2,000 have died in the war in Afghanistan. There are thousands and thousands who come home with injuries, and, of course, there are the expenses and budget costs that come along with each and every one of these conflicts.

It really helps when you make these decisions and reflect on them to also be aware and honest about the real cost of war. The real cost of war in human life and human suffering can't be calculated, but we did make a promise that those who would stand for our country in those wars would have our help when they came home.

The scandal that has been reported in Arizona—the problems at the VA centers—is unacceptable in a Nation as great as America, and we owe it to these veterans and their families to stand by them. I promise I will, not just for veterans facilities in Illinois, which is my first priority, but for those across the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

LEGISLATING

Mr. ENZI. Madam President, I thank the Senator from Illinois for his comments about a problem—and how extensive it is—we are seeing across the United States. I don't think there is a Senator who is not looking into that and ensuring that something is done. I looked at the resources that have been allocated, and noticed that we increased the resources 60 percent in the last 5 years. I think there is a severe management problem, and after reading some of the emails I have received, I am very concerned about that.

I want to talk about a different subject today. A recent headline from a Capitol Hill newspaper declared that our current Congress could be the “worst ever.” Another said negotiating political agreements is a “lost art.” The whole country knows something is wrong with our government. The prob-

lem is that Senators are being prevented from doing their job. Common sense is ignored because bills are being made in a political vacuum. This results in more lengthy, complex, incomprehensible laws that defy logic.

Former House Speaker NANCY PELOSI famously said that Congress would first have to pass a bill in order to find out what was in it. That is a problem. Legislation is often hundreds, if not thousands, of pages long. One bill could contain provisions affecting everything from health care to housing and increase the debt by hundreds of billions of dollars.

I recently introduced a bill with Senator JOHN BARRASSO, also from Wyoming, that would take a page from Wyoming's State legislature handbook. In order to stop Congress from passing bills with countless, unrelated measures, S. Res. 351 would require any legislation considered by the Senate to be limited to a single issue. One topic per bill will help get things done. It means more understandable and manageable bills. This is not a flashy concept, but I have found people of both parties are receptive to it. It makes sense to them.

Change is hard and those who control the Senate now like the system we have. Most Members of Congress have no opportunity to weigh in, and neither does the public—directly or indirectly. This is a very tidy arrangement for those who are in power now, especially in the Senate. Nothing is approved unless the majority leader allows it to come out.

Dissenting opinions are rarely considered. The majority leader uses procedural tactics to prohibit amendments to improve bills in order to control the legislation and to prevent his party from taking politically difficult votes. He has done this more than any other majority leader—perhaps more than all the previous leaders. Political motivations and consolidation of power should not be used to deny Senators from either party the right to represent their people.

Last week the majority leader used procedural tactics to prevent us from voting on tax amendments important to Wyoming, such as the permanent State and local sales tax deduction amendment offered by my friend on the other side of the aisle, the Senator from Washington. We were also prevented from voting on amendments that would be important to all of us, such as preventing waste of taxpayers' dollars by stopping the IRS from giving bonuses to employees who have not paid their taxes. Amendments were filed by Members from across the country. By my count, more than 60 amendments to the tax package were filed by Senators from the other side of the aisle. Nobody is being represented by amendments. At some point we need to actually vote on the issues that are important to our constituents, and Members on both sides of the aisle who support these amendments need to insist on that.

Last week Politico's Huddle claimed "Senate GOP Filibusters \$85B Tax Extenders," but there is no opportunity to filibuster when the debate is cut off before it ever begins. That is what the majority leader did by filing cloture on the tax extenders package. Cloture is a political tactic designed to bring debate to a close after a supermajority of the Senate is satisfied that a matter has received adequate consideration.

In recent years this majority leader has often filed a cloture motion immediately—before there is an opportunity to debate or introduce amendments, not after adequate consideration. The number of same-day cloture filings has more than doubled compared to when Republicans last controlled the Senate. We are not even being given a chance to debate, much less offer amendments, and that is why I have joined Senator GRASSLEY, a Republican from Iowa, in cosponsoring his Stop Cloture Abuse Resolution. It would amend the Senate rules to prohibit filing cloture until there has been at least 24 hours of debate.

Another telling statistic is the number of amendments the current majority has blocked from being considered in the Senate. As this chart shows, in 2005 and 2006, the Senate voted on almost 700 amendments on the Senate floor. Since the Senate has been controlled by the current majority, the number has dwindled. In 2011 and 2012, there were about 350 amendments, and since July of last year, the majority leader has allowed votes on only 9 Senate Republican amendments. The House—where debate is very limited and controlled by the majority—had 132 votes on Democrat minority amendments.

Let's see. The minority in the Senate—the cooling saucer for the country where there is supposed to be open debate—had nine amendments. The House—always controlled by the majority in a very strict way with a rules committee—had 132 Democratic minority votes on amendments.

The leader has used the tactic of filling the amendment tree to prevent amendments from being introduced, and because of that tactic, the amendment to prevent wasting taxpayers' dollars by stopping the IRS from giving bonuses to employees who have not paid their taxes doesn't get to come up. That is just one example of many that has happened. In the last 8 years, he has used this tactic 86 times, and of course, we are still counting. By contrast, the last six majority leaders combined only filled the tree 40 times.

What is filling the tree? It is a political tactic of setting up a few amendments that cannot be taken down, that have to be voted on before the bill can be done, and filing cloture even prevents those from getting done.

The chart shows that there have been 86, and still counting, and the six previous leaders only filed cloture 40 times.

Filling the amendment tree has become a routine way to prevent any

Senator—majority or minority—from exercising their right to offer an amendment because once the tree is filled, no Senator can offer an amendment.

Almost half of the Senate has been here less than 6 years. Yes, 45 of the 100 Senators are in their first term. They don't realize that there is a better way. They have not seen how it could work, how it did work, and how it should work.

I know how this can hurt. I once had a bill that would have been the first step of 10 for solving health care in this country, and it was a small business health plan. It would have allowed small businesses across the country to join together through their association to get a big enough block to effectively negotiate with the insurance company or even set up their own selfinsurance pool.

The majority leader was willing to bring it up and then filled the tree and filed cloture. I had 2 people that would have made the 60 votes necessary to get that passed, but each had 1 amendment to the bill, and they would have been good amendments. They were not allowed to bring up their amendments, and consequently I wound up being just short to pass a very important bill that would have brought down health care costs for this country and might have encouraged people to do the other nine steps in the plan that Senator Kennedy and I put together and provided more in the way of insurance than what we have now, and it would have been paid for.

Committees should have the first opportunity to shape legislation. It is there that Members are able to iron out unintended consequences and craft better legislation before it goes to the floor. There is a lot of flexibility in the committee process. I used to sit down and go through all the amendments. There might be 200 amendments on a bill we were working on, and we would put them into piles according to what we covered. We would look to see who was involved in that particular pile and send that bipartisan group off to come up with a solution to these multiple solutions that had been presented. They were usually able to craft something out of that and bring it back as another amendment that would make the bill better and eliminate unintended consequences and perform a real service for our country.

Most of the bills now don't go to committee first. After a bill goes to committee, then it comes to the floor. All 100 Members of the Senate should have an opportunity to improve the legislation. The reason we have so many people in Congress—100 here and 435 at the other end of the building—is to bring together 535 different backgrounds that can suggest improvements to bills. Different Members may know something from their background that others may not have noticed, and that is why we do amendments. Rarely is that happening in to-

day's Senate. More often than not, committees are ignored and massive legislation is the result of a few people behind closed doors deal making for the more than 535 Members of Congress. We need to get away from deal making and start legislating again, and that is apparent, especially in our spending. The job of Congress is to decide how much the Federal Government should spend and on what priorities. That is not being done under the Senate's current management. Deals are made.

In fact, last January, the legislation we voted on was a deal between one Member of the House and one Member of the Senate. Do you know how many amendments we got on that? Nobody had an amendment to it. The debate was very limited. There was \$1.1 trillion spent on one vote that was put together by two people. That is deal making, not legislating, and that is what is costing this country so much money and what stifles things.

A couple of weeks ago we had a bill that was allowed to have amendments, and in 2 days we covered the amendments and passed the bill unanimously because it had been improved significantly. That is what we need to get back to. More time is spent on negotiating not to have amendments than it would take to vote on 75 amendments on a bill. Yes, a lot of them would fail, and that is typical, but at least a Senator could feel that his constituents have been heard but he just didn't have the votes for it. At least they have been heard, and that is what we are missing right now.

We are not getting to cover the amendments, and they can be covered relatively quickly. So deals are made and then spending bills are all packaged into one massive "take it or leave it" bill and the deficit has increased.

In 2013, the Senate didn't pass a single appropriations bill. We were supposed to do 12 of them right after April 15. We didn't do any of them. We only considered 1 of the 12 bills on the Senate floor, and that bill was shut down because the first amendment the majority leader didn't like, so he pulled it off of the floor and he never brought it up again, nor did he bring up any other spending bill. Is it any wonder that since January 2009 the total Federal debt stood at \$10.6 trillion and now it is over \$17 trillion? We don't budget; we don't appropriate; we just deal-make. It has never risen so high so fast in our country's history.

Similar to legislation on one topic per bill, we should look at each spending bill individually. The committees should be able to look closely at each branch and each agency. That is how it used to work before the power shift, but we can make some changes now to encourage more spending scrutiny. We could switch to a biennial appropriations process. That means once every 2

years for each agency. I have introduced S. 625, the Biennial Appropriations Act, and I am cosponsoring Senator JOHNNY ISAKSON's version of the legislation.

My bill would require the President to submit a 2-year budget resolution at the beginning of each Congress. Congress would then adopt a budget resolution. Following adoption of a budget resolution, Congress would focus on appropriations bills. Each Congress would debate the Defense appropriations bill; however, the other appropriations bills would be split into two groups. The more controversial bills would be debated in the first year after an election and the easy ones would be done the year before an election. Of course the bill would mandate at least one joint oversight hearing with the authorization committee and the Appropriations Committee in the off-appropriations year for those particular bills.

When you are spending a trillion dollars, it is so much money that nobody can look at the details. I don't even remember the last time we looked at something as small as a billion dollars, let alone a million dollars, and a million is a lot of money out where I live. We have to get back to where we can have some scrutiny on the appropriations, not a one-time deal.

Congress has 535 elected representatives. When each of us looks at every proposal, lots of viewpoints and experience get put into the decisions we make for our country, but if all decisions are made by the majority leader, the vast majority of Americans get shortchanged. Shortcuts are taken, committees are skipped. Legislation is long, cumbersome, and it is not easily read and understood. If you skip all the process to do that, then spending will reach all-time highs and we will get less for our money. That has to change.

These are some ideas on how we can solve those problems. This won't change unless those who are here exercise our rights. That may not happen until those outside Washington demand that these and other ideas get considered. Demand your Senators be allowed to represent you.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Alaska is recognized.

Mr. BEGICH. I wish to speak as if in morning business to talk about one issue, IRS overreach.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. Before I do that, I do want to say to my friend who just spoke, I am one of those who loves biennial budgets. I think it is a great idea and one we should continue to work toward. It makes work a little bit better and we also get a little bit longer planning horizon.

IRS OVERREACH

Mr. President, I come to the floor because there has been a lot of talk recently in different areas about the IRS, and virtually none of it is good. Let me

be clear. The IRS going after taxpayers for debts allegedly incurred by their dead relatives is shocking. Tax-delinquent employees with IRS bonuses are offensive. Targeting individuals or groups for their political beliefs is unacceptable. But today I want to talk about a different issue: a vital industry in my State crushed by overbearing IRS enforcement of their own incomprehensible regulations.

Folks who have been to Alaska know we have some of the most beautiful terrain in the world. Most of the best sights, however, are off the road system. What does that mean? That means you cannot drive to them. That means if you want to visit a remote part of the Denali National Park or try to spot some bears or go to a great fishing area, the easiest way to do that is by airplane.

Companies that provide these sightseeing services are overwhelmingly small businesses, mom-and-pop operators. They aren't tax attorneys. They aren't CPAs. They are pilots. They live to fly. As you can see right here, this is an incredible view right outside of a glacier where a small plane has just landed. That is why it is so devastating that at least one of these businesses had to sell its plane to pay the IRS and close up shop forever. Countless others live under the cloud of uncertainty because the IRS goes to extraordinary lengths to find them liable for taxes. In fact, one company received this massive tax bill, including penalties, even after they had negotiated with the IRS and received a favorable resolution. In other words, this bill came after they had agreed with the IRS to get rid of these penalties and these interest charges and everything else. The IRS said there was a little mixup, and maybe for them that is all it was, but for a small business it could mean financial ruin. Also, getting a bill like this would drive you crazy after you just had a conversation with the IRS and resolved this.

Let me give a little history. Air transportation is usually subject to excise taxes, which go to a trust fund for airports, much like the gas tax pays for the highway trust fund. But since 1970 Congress has made it crystal clear that these excise taxes shouldn't apply to small aircraft, the type shown in the first photo.

Here is another example. These types of planes have not been subject to excise taxes since 1970, unless they are flying regularly scheduled routes, such as the route I take going back home to Alaska. I fly from the airport in Washington, DC, to Seattle and then to Anchorage. Those are regularly scheduled flights.

But the IRS brought down the enforcement hammer on some businesses in Nevada and Alaska. Those companies sued the IRS and eventually lost. So Congress came back again in 2005 and said, look, we meant what we said in 1970. Small aircraft used for sightseeing are supposed to be exempt from

excise tax—pretty simple, pretty clear, not complicated.

But the IRS doesn't get it. The IRS still won't listen to Congress. The IRS still thinks it can ignore the plain meaning of the law backed by clear congressional intent. A lot of folks around here talk about Federal overreach. This is a perfect example of Federal overreach. Congress told the IRS not once but twice: Small aircraft offering sightseeing services should not have to collect excise taxes, and still the IRS thumbed its nose at Congress and says, "We'll do whatever we like," in clear contradiction to the plain meaning of the statute that was supposed to be upheld.

That is not the way this country is supposed to work. Agencies such as the IRS don't get to go it alone. They are bound by the Constitution to enforce and follow the laws that Congress writes.

I was pleased about a recent letter that was written to the Alaska Air Carriers Association in which the IRS acknowledged their guidance was unclear and inappropriately enforced. They offered to give refunds to companies flying small aircraft on sightseeing tours. While it is a step in the right direction to recognize they got it wrong, they refused to back down completely. The IRS is still reserving the right to go after these same companies in the future.

That is why I called the IRS Commissioner into my office last week and that is why I am here today, to make it clear to the IRS that I will not stand idly by while they send Alaskan small businesses into bankruptcy. I will keep coming here as long as I have to, until the IRS lets Alaskan small businesses do what they do best: Fly and share all of the beautiful sights my great State of Alaska has to offer to all Alaskans and all Americans.

It is happening in Alaska. It is starting to happen in other States. My guess is this will go anywhere there are sightseeing planes to be determined from the IRS perspective that they know what is best. The law is clear. The IRS in their letter made it clear that their interpretation of the law may be unclear and inappropriately enforced. Well, if it is wrong, don't enforce it, or enforce it the way it was set out in 1970 and 2005. If you put someone in a plane and take them out for sightseeing, they are exempt. There is no rate or schedule.

Here is what is also amazing about this. I will go to this first photo again, the one with the glacier. They are restricted as to where they can go. So when the IRS says they flew from point A to point B on a regular basis, that is because they are regulated by the Federal Government to go to that location. I think this visitor would love to fly all around the glaciers, but they are not allowed to by Federal law. So they are sightseeing, and the law is clear about this. But, once again, the IRS has determined what they think the

law is. The FAA, which regulates the air industry, makes it clear who is sightseeing and who is regularly scheduled. So I would plead with the IRS to do the right thing here, settle this issue once and for all and make it crystal clear. The law has been passed by Congress—not once but twice. It is time to get off the backs of these small businesses, small business people, not only in my State but across this country. Ensure they can do their business, and make sure the great sights of Alaska can be seen by anybody anytime through these great tour operators who operate in my State and the operators all around the country.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

WRRDA

Mr. BARRASSO. Mr. President, I rise today in support of the 2013 Water Resources Reform and Development Act conference report. I agree with my colleagues who have spoken about this and who believe that passing this conference report is important for our communities. As ranking member of the Subcommittee on Transportation and Infrastructure and as one of the members of the conference committee that came out with this report, I believe the agreement we have today addresses the issues facing the Army Corps of Engineers and facing our country.

We have problems in this country with aging infrastructure, we have problems with a lack of transparency, and we have problems with fiscal accountability—all of which impact public health, public safety, as well as the environmental welfare of our communities. As a conferee, I and my staff have worked with our colleagues on both sides of the aisle and both sides of the building, House and Senate, to create a bipartisan product to address these real concerns. We may have our differences on some key issues, but the bulk of what we have accomplished is about protecting our States. It is about protecting our constituents. It is not about partisan politics.

For example, issues such as flood mitigation are very important to my home State of Wyoming. Predicting floods and being able and better prepared for them is a major component in keeping Wyoming and other western communities safe. That is why we have successfully included language in this

bill for the authorization of the Upper Missouri Basin flood and drought monitoring. This program will restore the stream gauges and the snowpack monitors through the Upper Missouri Basin at all elevations. These gauges are used to monitor snow depth and soil moisture to help inform agencies such as the Corps of Engineers as to potential flooding as well as drought in the future. This type of monitoring will help protect communities and will save lives.

We also included language in this bill for technical assistance to help rural communities comply with environmental regulations. Rural communities often don't have the expertise or the funding to make important upgrades to their water systems. Dedicated professionals, such as the folks at the Wyoming Rural Water Association, use this funding to go into those communities and provide the critical assistance these people need.

We also secured an agreement that establishes a 5-year pilot program known as the Water Infrastructure Finance and Innovation Act. This program will allow the Corps of Engineers and the Environmental Protection Agency to provide loans and loan guarantees for flood control, for community water systems, for aging water distribution facilities, and for wastewater infrastructure projects. It also includes language that makes tribes eligible for the loans.

As I mentioned, transparency and fiscal responsibility are also important components to tackling the issues that need to be addressed with the Army Corps of Engineers. That is why we have included language in the conference report to create an Army Corps project deauthorization process. Under this process, the Army Corps would identify projects for deauthorization based on established criteria. Then, after taking public input, they would submit those projects as a single package for an up-or-down vote in the Congress.

Many of these projects are on the books and have been on the books for extended periods of time, and they authorize the expenditure of millions of taxpayer dollars. Yet these are projects that are going nowhere. Under this conference report, the Corps would have to propose a list of the projects to cut. The list would total \$18 billion and would be sent to Congress for this up-or-down vote. And \$18 billion is more than enough to offset the entire total authorization of this piece of legislation.

It truly is time for the Corps of Engineers and for Congress to clean the books, cut the waste, and bring fiscal responsibility to this WRDA process.

I wish to thank my colleagues, including Chairman BOXER, Ranking Member VITTER, and former Senator Max Baucus for the bipartisan process under which this bill was considered.

The conference report is not perfect, but I believe we have achieved a prod-

uct that is substantive, effective, and in the public interests. It is a product that will save lives, maintain the flow of commerce, and protect communities for years to come. Therefore, I urge my colleagues on both sides of the aisle to support this conference report.

Once again, I thank the Presiding Officer and my committee colleagues for their willingness to work together on this bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to give this speech in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX EXTENDERS

Mr. HATCH. Mr. President, I want to take a few moments this afternoon to correct the record on something very important.

In his opening remarks this morning, the distinguished Senate majority leader made a number of claims and accusations relating to the tax extenders legislation.

As you will recall, last week the Senate voted not to invoke cloture on the substitute amendment to the tax extenders bill. Since that time, the Senate majority leader has been accusing Republicans of voting against tax relief. He said we are obstructionists and that we "work so hard to do nothing." This is, as we know, par for the course.

When the majority leader is not calling out American citizens by name and attacking them for getting involved in the political process, he is usually accusing Senate Republicans of one thing or another, and doing it so unjustifiably.

Today, he attacked me personally for my vote against cloture on the tax extenders substitute, saying: "The primary Republican who negotiated this, the ranking member of the Senate Finance Committee, voted against his own bill."

It is true that I negotiated. It is true that I helped to get it through the committee. It is true that I got our side to agree to a voice vote.

Needless to say, I cannot let this go unanswered. I am here now to set the record straight.

First and foremost, I want to make clear that I support the tax extenders legislation, and everybody in this body knows it, and if they do not, then they better go take an IQ test. I want to see that bill passed, and I believe we should pass it sooner rather than later.

I do not want speak for anyone else, but I suspect that the majority of Senate Republicans feel the same way. But there are serious and legitimate process issues at stake here.

At the time of last week's cloture vote, the substitute amendment had been available to the full Senate for little more than a day. Although there were 167 amendments filed—including about 70 Democratic Party amendments—the distinguished majority leader blocked the consideration of any and all amendments.

This, unfortunately, has become the norm here in the Senate, where we have voted for a grand total of 9 Republican amendments in the past 10 months—9. By contrast, in the House of Representatives, where the Republicans are in complete control, where the Rules Committee is 9 to 4 in favor of Republicans—the committee that decides what comes to the floor—the Democrats, who are in the minority, have had votes on 242 of their amendments in that same timeframe.

SHEILA JACKSON LEE, for instance, a single Democratic House Member, has received votes on 22 separate amendments in the same timeframe that all Republican Senators have, combined, received votes on only 9.

So, yes, I, along with almost all of my Republican colleagues, voted against cloture—in fact, all but one voted against cloture—on the tax extenders substitute. But I made it clear before and after the vote that my vote against cloture was a vote to allow Senators—both Republicans and Democrats, especially those who do not serve on the Senate Finance Committee—an opportunity to amend the tax extenders legislation, something you would think every Senator in this body would want to justify and would want to support.

As I said, at the time of the cloture vote, there were a total of 167 amendments filed. Yet the Senate majority attempted to close off debate on the bill without considering or voting on a single amendment—on a bill costing \$85 billion so far. That is no way to operate the Senate, particularly on a bill as broad and as consequential as the tax extenders bill.

There are a lot of interests at stake with the expired or expiring tax provisions, a number of voices that deserve to be heard. Why, then, would we want to rush through the debate without considering a single solitary amendment? It does not make sense.

My vote against cloture was never intended to kill this legislation, as the majority leader claimed this morning. As I made clear last week, my vote was for a fair, open, and cooperative process—a bipartisan process, if you will, something we have not had much of around here lately. I would have thought the majority leader would have been listening last week when Republicans, including myself, made it very clear why we were voting against cloture. But either he was not listening or he forgot everything we said because this morning he came to the floor to attack us, once again, claiming that somehow our votes against cloture on the tax extenders legislation were related to President Obama.

So let me make it clear for our distinguished majority leader and anyone else who may be misunderstanding what is going on with the tax extenders bill. This has nothing to do with President Obama. There is only one person who is stopping the tax extenders bill from moving forward. It is not me. It is not the minority leader. It is not anyone on the Republican side or caucus.

The distinguished majority leader could solve this impasse today if he would simply allow the Senate to operate in a way it always has. He knows—and he knew then when he made these comments because we chatted the day before—he knew that my job is to try and winnow down the total number of amendments on this bill, approaching almost 100 for each side, and get it to where we basically could pass this bill.

He can come to the floor as often as he wants to attack Republican Senators or anyone else, but that does not change the fact that he is the one in control here. He is the one who will decide if the Senate will live up to its legacy of being the greatest deliberative body in the world or if it will continue to be what it has become—a graveyard of ideas.

Once again, I stand willing and able to work with the Democrats to get this bill across the finish line. I do want this legislation to pass. It is important legislation. But I do think we ought to have the Senate operate as it always has in the past, where each side has at least a reasonable opportunity to bring up amendments that they consider to be important. It is important that the Senate operate in that way, and not in the way it is currently being operated. As I said, it is not up to me.

CALIFORNIA DROUGHT RELIEF

I would like to take a moment to address the California drought relief bill Senator FEINSTEIN has been working so hard on for the past several months. There is no question that we are facing some very serious conditions across the West. We need to be doing all we can to provide relief to the farmers in California and elsewhere. But it does not make any sense that this drought has gotten to the point that it has when it could have been avoided. This is a man-made crisis. The water that should have been and could have been stored behind the dams in California's Central Valley during the past several years has instead been flushed downstream to create fish habitat for the endangered delta smelt. Now, do not get me wrong, protecting our natural resources is important. But there is a problem with our system when we put the needs of fish—and especially this fish—ahead of the needs of people.

This is happening in other States too. We are seeing the needs of people made secondary to the regulatory requirements that may or may not even be benefiting the species they are designed to help.

I think we have some of the stupidest people in the environmental movement that you can possibly imagine. They

consistently place these trumped-up situations against human beings and humankind. It is getting real old to me.

Senator BARRASSO has an amendment to Senator FEINSTEIN's bill that would bring some common sense into this situation by allowing for some flexibility for communities that are facing dire situations as the result of Federal regulatory requirements.

I support the Barrasso amendment and would have liked to have seen it included in the California drought relief bill. I also recognize that the farmers and farm workers in California cannot afford to have Congress playing games with their livelihood. For that reason, I am not going to object to this bill.

To have California, where some of the greatest, most productive farmlands in the world are, basically shut down for really what are stupid approaches when there could be an accommodation to help both sides on those issues is hard for me to understand.

When the members of the California delegation sit down with the committees of jurisdiction to work out the differences between the Feinstein bill and the bill that has already passed the House, I would urge them to implement Senator BARRASSO's proposal into the final bill. This will help rural communities across America avoid getting into potentially disastrous situations that are caused by out-of-date, out-of-touch regulations.

The economy and job creation do not have to be at odds with conservation. This is the perfect opportunity to create some badly needed flexibility to make sure they are not. I, for one, would like to see that for a change in the Senate.

I sure would like to see us depoliticize this place so we can work together again. I have been here only 38 years, but I have to tell you, there were many times in that 38 years where we worked together, we solved the problems of America together, and we had the country running well. Frankly, we all walked out of here feeling pretty good.

Most people in the Senate right now do not feel all that good—first of all, because of the way it is being run; secondly, because there is a partisan divide that exists—on both sides, by the way; thirdly, because we have a rough time getting people together in a bipartisan way; and last but not least, because we do not spend much time together anymore. It used to be that Senators got together and cared more for each other and cared less about attacking each other and cared less about some of the ridiculous, stupid things that have been going on over the last few years.

I would suggest to my Democratic friends that they start thinking this over because the Senate has really gone downhill. We have to stop it and start working together for the best interests of our country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 2366 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. MURRAY. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Mississippi.

WATER RESOURCES REFORM AND DEVELOPMENT ACT

Mr. WICKER. I rise this afternoon to express my strong support for a new Water Resources Reform and Development Act, which we can send to the President this very week, and it will be a great bipartisan accomplishment. It will be a major win for economic development also.

I am proud to have worked on this legislation as a member of the Environment and Public Works Committee, and I am excited about the potential the WRRDA bill has to make a difference in States such as my home State of Mississippi.

Like many States, we routinely depend on water infrastructure. In Mississippi, our ports and waterways are crucial to commerce, and our system of levees protects us from natural disasters. These modernized ports and commercial waterways are critical to maintaining competitiveness in a global economy. They are essential to boosting trade and job growth across the Nation.

The House-Senate agreement on this new water resources bill—the first in 7 years, I might add—would accomplish a number of goals, from restructuring the inland waterway system to completing storm protection projects. It would help ensure that U.S. industries have a reliable, navigable, and cost-effective transportation network to do business.

In particular, I am encouraged by reforms to the harbor maintenance trust fund which promise to help our ports with much needed dredging. The fund, which was established for port improvements, is currently underutilized. Using this money for its intended purpose would help facilitate critical port

upgrades—an especially important investment in preparation for the upcoming completion of the Panama Canal expansion.

The U.S. Army Corps of Engineers has estimated that America's busiest ports, including the Port of Pascagoula in Mississippi, are operating at their full capacity only 35 percent of the time or less. This is unacceptable. As a matter of fact, for other ports around the country, the situation is worse than that.

A lapse in maintenance can become a vicious cycle, impairing a port's ability to secure future maintenance dredging. Coastal ports, such as Mississippi's Port of Gulfport, have been disadvantaged as a result. We haven't received the maintenance. We have less traffic. Therefore, we are entitled to less future maintenance dredging.

I am pleased to report to my colleagues that thanks to an amendment by Senator THAD COCHRAN of Mississippi on crediting authority for navigation projects, ports such as the Port of Gulfport would have greater flexibility in making dredging upgrades.

Other provisions in the new water resources bill seek to ensure fiscal responsibility by streamlining project requirements and timelines. This means allowing greater private contributions to infrastructure repairs and deauthorizing projects no longer in the national interest.

Mississippians understand why water resource infrastructure matters. In recent years we have faced very different challenges because of extreme conditions on the Mississippi River. First, historic flooding put flood control mechanisms such as the Mississippi River and Tributaries Project to the test. Then the very next year severe drought turned large stretches of the river into nothing more than sandy beaches. These situations can have a big impact. Any disruption in the movement of goods along the Mississippi River has the potential to affect staple products such as corn, grain, and petroleum. When that happens, consumers are often left with higher costs. The Mississippi River alone is responsible for more than \$100 billion of America's gross domestic product.

For our coastal communities, this Water Resources Reform and Development Act would also advance beneficial storm protection projects. Many of these projects, developed after Hurricane Katrina under the Mississippi Coastal Improvements Program, have been left unfinished. Their completion would help create more resilient coastal communities and lower the risk of future hurricane and storm damage.

Of course, our work is not finished. Implementing this legislation will require oversight, and more can be done to improve our inland waterway trust fund and to protect medium-use ports. I hope in a couple of years we will be considering another Water Resources Development Act. In other words, I

hope we don't wait another 7 years for a WRDA. But today and tomorrow we have an opportunity for a great step forward, demonstrating the strong bipartisan cooperation that exists in the House and Senate for America's future vitality and competitiveness.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Ohio.

CHINA

Mr. BROWN. I rise to discuss the growing problem with U.S.-China relations.

Earlier this week we saw another example of how the Chinese Communist government will do everything it can—anything—to get ahead. The United States of America, in something that rarely happens, charged five Chinese military officers and accused them of hacking into American nuclear, metal, and solar companies to steal trade secrets.

This is not only a national security concern, it is an economic concern. Two who were allegedly hacked are U.S. Steel and the United Steelworkers union—organizations with which I have helped to file unfair trade practice cases against Chinese state-owned companies. It is not only a cause-and-effect, but these two entities, a steel company and a steelworkers union, filed unfair trade practices against China, and now the U.S. Government is filing legal charges against them for going after these two companies—against the Chinese.

We won these trade cases because we held China's feet to the fire and used our trade laws to level the playing field for our steel companies and our steelworkers. Jobs were saved and factories stayed open because of these trade cases, and that is precisely why China is targeting these companies.

We know the Chinese will do just about anything to get ahead economically. Fair enough. We also know that China will cheat and spy. The best example is currency manipulation, which makes Chinese exports more competitive.

When you manipulate the currency—when China sells products into the United States, the price is less, basically subsidizing Chinese exports into the United States, putting American workers out of jobs. When U.S. companies export to China, because China has manipulated the currency, it means that the prices are higher for these American goods, making them significantly less than competitive, if you will, in China. So when China cheats on currency, our workers at U.S. Steel in Lorain, Wheatland Tube in Warren, Vallourec Star in Youngstown, and TMK IPSCO in Brookfield lose out, and when our workers suffer, our economy suffers.

A December 2012 report by the Peterson Institute—a conservative think tank—found that currency manipulation by foreign governments costs the government between—quite a range—1 million and 5 million jobs, increasing

the U.S. trade deficit by \$200 to \$500 billion a year. These are manufacturing jobs that are about export or competing with imports. They are almost always pretty good-paying jobs.

In 2012 our trade deficit with China broke \$300 billion for the first time, and then in 2013 for the second time it broke \$300 billion.

An Economic Policy Institute report notes that “addressing currency manipulation is the single most important policy change for U.S. workers.” EPI argues that up to 5.8 million American jobs—40 percent of them in manufacturing—would be created if currency manipulation were eliminated by next year. It would reduce the goods deficit by at least \$200 billion. For my home State of Ohio, EPI found that eliminating global currency manipulation by next year would create 254,000 jobs—up to 75,900 in manufacturing; reduce Ohio’s unemployment rate by nearly 3 percentage points; increase Ohio’s GDP by up to \$17.4 billion; and improve the fiscal position of Ohio’s State and local governments altogether by up to \$3.7 billion. That is only Ohio. It doesn’t count Connecticut; it doesn’t count Arizona; it doesn’t count the other 47 States. That is why we are urging the administration to be more aggressive and level the playing field for American workers and businesses.

We should pass my bipartisan legislation with Senators SESSIONS, GRAHAM, STABENOW, HAGAN, and others, which would treat currency manipulation as an unfair trade subsidy and require the Commerce Department to investigate currency manipulation.

It is also why we must urge China to comply with the World Trade Organization commitments and fully and faithfully implement all the WTO rulings against it.

The U.S. Trade Representative’s report paints a sobering picture of the Chinese state’s efforts to intervene in the economy and unfairly help China’s businesses despite its WTO commitments that it wouldn’t do that. China still has not agreed to the procurement agreement from WTO. By not doing so, our businesses miss out on the opportunity to compete for potentially \$100 billion a year in contracts. In other words, China won’t let us sell into their country in many cases because they don’t follow the WTO procurement agreement.

Another issue noted by the USTR is China’s imposition of retaliatory duties against countries bringing WTO cases against it. One case involving grain-oriented electrical steel—and I was speaking to an executive at AK Steel, David Horn, an executive at AK Steel in southwest Ohio—China not only lost in a WTO challenge but now appears to not comply with the ruling. The continued imposition of these duties even after WTO ruled against it has caused significant harm to companies such as AK Steel, as I mentioned, which is based in West Chester, OH.

The issue of retaliation figured prominently in the latest cyber espio-

nage cases brought by the Department of Justice. Several American companies and the steelworkers union that were targeted were taking part in trade cases to challenge China’s unfair trade practices.

China tries to intimidate our companies and they try to intimidate the U.S. Government from holding them accountable to international and U.S. laws. Living up to their trade obligations and promoting the rule of law in China not only benefits American companies, American workers, and American local communities, it also benefits the Chinese people.

There are already examples of Chinese companies willing to play by the rules. I applaud the announcement that Fuyao Glass Industry Group, a Chinese producer of auto safety items, has finalized its agreement to buy the former General Motors plant in Moraine, OH, a Dayton suburb. It is an example of how fair trade and foreign direct investment going both ways can benefit the Chinese, a Chinese company, and create 800 new jobs in Ohio. But to truly have a fair trading relationship, there must be a level playing field. That means playing by international rules.

This brings me to my final point. If China continues to manipulate its currency, cheating American workers, cheating American businesses, refuses to abide by WTO rules, is now accused of stealing trade secrets from American companies and unions, why in the world would this Senate even consider and why would the President consider entering into a bilateral investment treaty with China? Have we not learned?

In 1999, the year 2000, we passed permanent normal trade relations with China. Many of these issues were aired then. China said they would follow the rule of law. China said they would do it right. China hasn’t followed the rule of law. China hasn’t done it right. China hasn’t played fair. So we are considering entering into a bilateral investment treaty with China? I don’t think so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

UNANIMOUS CONSENT REQUEST—S. 394

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 88, S. 394, the Metal Theft Prevention Act; that the bill be read a third time and passed; and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, the theft of valuable metal is a serious crime, one that can damage valuable infrastructure—sometimes government infrastructure—and it can cause serious harm to businesses and to the owners of the infrastructure at issue. For this reason,

many States, including my own State of Utah, have enacted measures that deter such criminal activity and punish harshly those who engage in this type of criminal activity. These measures are generally appropriate, but where the Federal Government enacts legislation creating criminal penalties, we as lawmakers must be careful to respect the Constitution’s enumerated powers and the constitutionally ordained structure of federalism.

I have heard concerns expressed regarding people who steal valuable metal and cross State lines to sell stolen metal. While I would support Federal legislation addressed to such truly interstate, unavoidably national circumstances, I cannot support legislation that more broadly regulates intrastate conduct.

Because this bill exceeds Congress’s power under the commerce clause and imposes a Federal regulatory scheme in an area of the law the Constitution properly reserves to the States, I must object to the Senate passing it by unanimous consent.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I appreciate hearing Senator LEE’s objection. I do believe this is an issue that has been delayed for too long. The bill passed the Judiciary Committee by voice vote last June. Yet businesses, communities, and individuals continue to be victimized.

This is a bipartisan bill. This is legislation that has been introduced with Senator GRAHAM of South Carolina, with Senator HOEVEN of North Dakota—two Republicans—as well as Senator SCHUMER and Senator COONS. As I noted, it passed the Judiciary Committee. Yet we still have objections from the other side—people who are holding up this bill. At the same time, metal theft continues to rise across the country.

This bill does not create the kind of burdens my friend mentioned. This bill is very narrow. The only crime it creates for a Federal crime is a crime of theft of critical infrastructure—critical infrastructure, something that could threaten the national security—and this is not a far reach, given we have seen people stealing copper pipes, given we have seen houses blow up. So it is not a far reach at all.

Secondly, what does this bill do? It leaves it to States to decide what metal theft laws they want. In the end, it does not preempt those laws. If States have laws that are on point, if they have laws relating to metal theft that create some kind of a requirement that not everything can be paid for by cash so law enforcement can actually track this, then we have a situation where that State law would govern.

It is not an overly burdensome law. In fact, many States are adopting these kinds of laws. Our problem is there are some States that refuse to adopt these kinds of laws. So people are stealing

metal from places such as Minnesota and bringing it to those States—to scrap metal dealerships that are accepting that metal and that don't have to report any kind of information to the police and don't have to have any recordkeeping.

We have a national problem. If you don't believe me, listen to this story. Just last week, in my home State, metal thieves robbed dozens of veterans' graves—veterans' graves as we are approaching Memorial Day. What did they do? They took the brass rods that hold their symbol of service.

People want to tell me this isn't a problem? People are stealing stars on veterans' graves and they are stealing the brass rods that hold their symbols of service. Just when families are gathered for Memorial Day, we have metal thieves wreaking havoc because they can go to some scrap metal dealer that isn't following the law and sell it and no one is going to keep track of who they are.

This is a crime. This is a crime, and it is not the first time. On Memorial Day in 2012, thieves stole more than 200 Bronze Star markers from veterans' graves in Isanti County, MN.

So I ask my colleagues who are holding up the bill how they explain defending this kind of practice and allowing it to continue, when this metal is being taken because it is valuable and it can be brought to scrap metal dealers that aren't following the law.

Metal thieves have become infamous for shameless acts such as this. These thieves will stop at nothing to get this high-priced metal and make a quick buck. Last month thieves stole the aluminum wheelchair ramp from the front steps of a man's house in Washington, stranding the man inside.

Enough is enough. Are our friends going to be listening to some scrap metal dealers when most of them follow the law, but clearly some don't want to follow the law; is that what we are listening to in this Chamber? Are we going to listen to the veterans of this country? Are we going to listen to the police groups?

By the way, this bill has been endorsed by the Major Cities Chiefs of Police, the Fraternal Order of Police, and the Major County Sheriffs' Association. So I ask, are we going to listen to those groups or are we going to listen to the scrap metal lobby?

In Minneapolis, thieves have targeted the city's oldest continuously used church. First, they stole the copper downspouts. Then they came back to steal two air-conditioners and gut the copper supply lines to the kitchen freezers. Before the church even had time to replace the stolen air-conditioners, the thieves came back a third time to steal a third air-conditioner and gut the newly replaced copper lines. Replacing the stolen items and installing security fixtures has cost the parish thousands of dollars that could have otherwise been spent on the good work of the church.

These thefts have cost the parish more than money, it has also cost a tradition. This church has been serving French meat pies since the late 1800s, but this year they had to cancel it because of the thieves.

Last winter at a recreation center in St. Paul, MN, thieves stole \$20,000 worth of pipe from the outdoor ice rink, causing the center to close until local businesses donated labor and materials to make the repairs—\$20,000 worth of pipe. The problem is the replacement is much more than \$20,000. It was hundreds of thousands of dollars because they have to repair the whole ice rink.

In Rochester, MN, I met with local businesses that have been robbed by metal thieves—one local business 12 times in just the past 2 years and has suffered more than \$150,000 in losses, similar to the story Senator HOEVEN and I heard when we met with electric companies in Fargo and in Moorhead. During one of the robberies in Rochester, thieves even stole a truck with the company logo on it and then used the truck to rob other construction sites without raising suspicion.

Across the country, copper thieves have targeted construction sites, power and phone lines, retail stores and vacant houses. They have caused explosions in vacant buildings by stealing metal from gas lines, and they have caused blackouts by stealing copper wiring from street lights and electrical substations. Do you know why? Because they have a willing buyer. They have people who are willing to buy their stuff and will not even take the care of keeping records and taking checks so law enforcement can later investigate who they are.

These next examples show how dangerous metal thefts can be. Last October four people were injured in an explosion at a University of California-Berkeley electrical station. Officials blamed it on copper theft that occurred 2 hours before the explosion. The copper is stolen, the pipes don't work, the workers turn it on, and there is an explosion and four people injured.

Georgia Power was having a huge problem with thieves targeting a substation that feeds the entire Atlanta airport—one of the busiest airports in the world, the Delta hub. The airport was getting hit two to three times a week and surveillance didn't lead to any arrests.

This is a crime that knows no borders, no boundaries. It happens in cities, it happens in suburbs, and it happens certainly in rural areas. Depending on the case, it threatens public safety, weakens our infrastructure, and undermines our businesses.

The impact is staggering. In one study, the U.S. Department of Energy found the total cost to industries affected by copper theft would exceed over \$900 million every single year—\$900 million every single year. Between 2010 and 2012 the National Insurance Crime Bureau identified nearly 34,000

insurance claims related to metal theft. To put that number in perspective, it marked a 36-percent increase from the 25,000 claims reported between 2009 to 2011. That 25,000 number was more than an 80-percent increase from the previous reporting period.

Listen to who is supporting this bill, and then I ask my colleague: Are you going to listen to these businesses or are you going to listen to the scrap metal dealers?

Air Conditioning Contractors of America, supporting the bill, American Public Power Association, supporting the bill, American Supply Association, Associated Builders and Contractors, CenturyLink, Edison Electric Institute, Heating, Air-Conditioning & Refrigeration Distributors, the Home Depot, International Council of Shopping Centers, Independent Electrical Contractors, Independent Telephone and Telecommunications Alliance, Lowe's Companies, Inc., National Association of Electrical Distributors, National Association of Home Builders, National Electrical Contractors Association, National Retail Federation, National Rural Electric Cooperative Association, Retail Industry Leaders Association, Sheet Metal and Air Conditioning Contractors' National Association, Inc., United States Telecom Association, Windstream Corporation, XO Communications.

I could go on and on. These are mainstream businesses on Main Street that support this bill because they are getting ripped off.

So what can we do about it? We know why it is happening; that is, because there is a global demand for copper, especially from China and India, and higher prices encourage thieves to steal copper and other metals. We all know the vast majority of scrap metal dealers are legitimate and law-abiding. They do not want to buy stolen property. I have worked extensively with the scrap metal industry in my legislation. We have made some changes they suggested in order to improve the effectiveness of the bill and lessen the burden on scrap metal dealers wherever possible.

Given the scale of the problem, I believe we have to take strong steps to fight these crimes and give law enforcement the tools they need. I worry that at some point we are going to have a major break in our Federal infrastructure and everyone will look back and wonder why they listened to some lobbyist representing the scrap metal dealers instead of all these businesses I mentioned and instead of the police. They will look back to this moment.

Maybe they could at least listen to the beer dealers. They support this bill because their kegs are getting stolen all over the country.

What does our bill do? First of all, it puts modest recordkeeping requirements on the recyclers that buy scrap metal, limiting the value of cash transactions, and requiring sellers in certain

States to prove they actually own the metal.

The bill also makes it a Federal crime to steal metals from critical infrastructure and directs the U.S. Sentencing Commission to review relevant penalties.

Our intention is not to preempt State laws, so if a State already has laws on the books regarding metal theft, they would still apply and the Federal law would not.

These criminals work across State lines—we know that—and they take advantage of States without this type of law. This bill is intended to fill the gap in States that don't have these protections. My people are getting ripped off in Minnesota because some States don't have laws. This is a Federal crime, and it is a Federal problem.

The shameless—shameless—robberies of veterans' graves make clear we can't just let this go anymore. It is time to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

earmarks

Mr. FLAKE. Mr. President, there has been a great deal of talk lately about earmarks. Some Members are even talking about bringing them back.

I grew up earmarking. I grew up on a ranch, where we earmarked cattle. That is where earmarking gets its name. I didn't think much of the practice then. We already had a brand on the critter. An earmark seemed to be redundant. After a while, we didn't do it any more.

Then I came to Congress—first in the House and now in the Senate—and I had hoped not to be earmarking any more. But when I got to the House I found out the practice was not just prolific but rampant, so I come here today, after hearing some people want to bring the practice back—after we had the moratorium placed a couple years ago—and urge caution. Let me explain a few reasons why.

One reason we lamented the absence of earmarks was the saying: Earmarks are the glue that helps legislation get passed.

I would say it is a little more accurate to say: Earmarks usually represent the lard that allows earmarks to squeeze through the door and get through to the President's desk.

Senator TOM COBURN has spoken often about earmarks. I think he at one point said the best statement ever made about earmarks: They are the gateway drug to spending addiction.

Earmarks are usually small items, but they lead to massive spending overall. They leverage greater spending. Once you get an earmark in a bill, you usually vote for that bill no matter how big it becomes. We had years and years of that, and we shouldn't return to it.

But now earmark fans have a new argument—spending oversight. They say we can provide better oversight when we earmark; we will keep better track of that spending.

They argue that Congress is derelict in its article 1 constitutional responsibilities, the power-of-the-purse argument: By not allowing earmarks, we are somehow derelict in our duty. That is an interesting argument which we ought to explore for a minute.

The same people who will defend earmarking as a constitutional right and responsibility will also note: Don't worry, it is only 1 percent or less than 1 percent of all Federal spending.

But think about that for a minute. If it is our constitutional responsibility, why would we stop at 1 percent? That is not a valid argument at all. If it is constitutional, for our constitutional responsibility, shouldn't more than 1 percent be earmarked?

When we look at when earmarks were here, they were never evenly spaced. Every Member of Congress in the House and the Senate has the same constitutional right, I would assume. But with earmarks, committee chairs or those on the appropriate committees get the lion's share of the earmarks when rank-and-file members get far fewer. So the constitutional argument is specious at best.

I do share a concern that Congress has ceded to agency bureaucrats and administration officials much of our discretion over spending decisions. The culprit is not a lack of earmarks but the lack of oversight opportunities. The problem is we haven't gone through regular order for a long time.

Right here in the Senate is the perfect example. We have only had nine votes on Republican amendments in this Senate Chamber since July. Nine votes. This is the most deliberative body in the world. The hallmark of this body is an open amendment process, open debate—unlimited debate. Yet we have only had nine Republican amendments rolled in the Senate Chamber since last July. That is no way to provide oversight. We have to get back to regular order if we want to have oversight.

We have a pretty dismal record lately on appropriations bills. We have become addicted to continuing resolutions, so-called CRs.

According to the Congressional Research Service, between fiscal year 1977 and fiscal year 2014, in all that 30-year period there were only 4 years where all appropriations bills were enacted on time, and in only one other year were more than half of them completed on time. The last year Congress actually moved through all the appropriations bills and did it on time was 1997. That is the problem we are having with oversight: When we don't authorize and pass appropriations bills one by one, we lose the ability to conduct oversight over the Federal agencies and over Federal spending in general. Since then, there has been an average of six CRs per year. This year will be no different.

I will consider some of the arguments.

We are often told this is a way we can have a check on the agencies. But

what we have seen in the past is that when we earmark, the bulk of the time spent by the Appropriations Committee is not spent in doing oversight but is spent in doling out earmarks.

The last year we had earmarks, 2009, there were 9,000 earmarks in 1 Omnibus appropriations bill. What was the Appropriations Committee doing for months prior to that? Most of their time and staff's time—time that should have been spent on the other 99 percent of Federal spending—was spent securing that 1 percent of Federal spending that constituted earmarks for the Members. So we are not exercising oversight with earmarks. We are abdicating our responsibility and spending far too much time on these earmarks.

There are 43 Members of the Senate who are in their first 6 years in this body, myself included. I happened to have spent some time in the House, so I have some perspective there. For those who haven't seen the appropriations process with earmarks, I think it is useful to take a little walk down memory lane and see what it was like in years past.

Jack Abramoff, who spent some time in prison for working the appropriations process pretty well, called the Appropriations Committee the earmark favor factory. That I don't think has been seriously refuted by anyone. That is what the Appropriations Committees became during that time—earmark favor factories.

It is worth remembering some of the earmarks that finally galvanized the country against them: the Bridge to Nowhere; the indoor rainforest in Iowa. We could go on and on. I went to the House floor myself several hundred times over the period of a couple of years to challenge these individual spending projects.

In 2008, there was a lobbying firm founded by a former Appropriations Committee staffer that specialized in getting particularly defense earmarks from the Appropriations Committee. The FBI finally got wind of some of this and started to investigate. Politico reported that sources within the FBI indicated they were "conducting research on earmarks and campaign contributions." While they did so, this investigation commenced and within weeks the firm imploded.

According to analysis by Taxpayers for Common Sense, clients of the firm received at least \$299 million in earmarks. The firm or individuals from the firm made campaign contributions of more than \$3 million to nearly 300 elected officials.

ABC News said at the time of the firm's operation: Millions out to lawmakers, hundreds of millions back in the form of earmarks for clients, have made it for many observers the poster child for tacit pay-to-play politics.

I don't think we want to go back to that time. News reports every day were looking at the link between earmarks and campaign contributions. There was a smack of corruption there.

CLIMATE CHANGE

As I said, as soon as the FBI turned its attention to this firm doing a lot of this earmarking, it imploded almost overnight and went away. There was great public distrust in the process, and well there should have been.

At that time I remember going to the House floor and offering over a series of weeks nine separate privileged resolutions asking for the Ethics Committee to look at that relationship between campaign contributions and earmarks.

Let me take this time to say this is not a partisan issue. Republicans as well as Democrats over years past participated in this process of earmarking with equal abandon. I am not pointing the finger at either party. There are Members of both parties who seek to return to the practice. But we ought to remember that it wasn't good for this institution. For those who say we ought to go back to it, I don't understand. I would argue it doesn't give us any better oversight because we spend all of our time actually earmarking projects rather than providing oversight over the other 99 percent of government funding.

There is no constitutional requirement. And, frankly, if it is just 1 percent of all spending, how can we argue it is our constitutional responsibility? Why wouldn't we be earmarking more of it? I don't know how the corruption that comes with it is avoided.

Members may say it will be better now than it was before—names will be attached to earmarks. We will have total transparency. The investigation of this firm and others happened when there was transparency, when names were attached to earmarks. That didn't help. The corruption continued. There is no way to police this process adequately when we earmark in that way.

I encourage my colleagues, when we hear Members pining for the old days when we earmarked, remember that Congress went for decades and decades with maybe one here or one there on the margins. It was only in those last couple of decades, the 1990s through about 2010, where we had a rampant corrupt process which I would argue we wouldn't want to return to. So let's think twice before doing that.

WRRDA

Mr. President, I rise today to talk about the Water Resources Reform and Development Act before the Senate for a vote tomorrow. To call WRRDA, as it is called, an expansive bill is an understatement.

This single piece of legislation would impact the Nation's harbors, waterways, shorelines, infrastructure, and of course it will impact the budget for many years to come. Yet all the talk around the bill before us today seems to focus on what has thankfully been left out of its pages—the very topic I have just been discussing—earmarks.

No doubt this reform-minded WRRDA is a step in the right direction, and I applaud my colleagues in the House and in the Senate who have been able to move a bill without earmarks.

It is a real accomplishment, as it should be done.

That said, I do have many concerns about the bill. My chief concern is the process by which infrastructure projects will be authorized. Simply put, just because it doesn't have earmarks doesn't mean it will be a good process for the taxpayers.

Under this legislation, non-Federal interests will have authority to propose projects that meet broadly defined goals to the U.S. Army Corps of Engineers. Once the Corps confirms that these projects have met these broadly defined goals, they will be included in a report to Congress that will serve as a de facto authorization bill for feasibility studies, and then on the conveyor belt to the chief's report and ultimately to construction.

It seems to me that, in order to be effective, this process relies on things that are either entirely unlikely or things we haven't seen before. It relies on State and local governments, for example, on being judicious on what they request from the Corps. Instead, I suspect we will see a virtual tsunami of requests flooding in.

It requires the Corps to be selective in what it ultimately embraces as worthy projects.

This again is an agency that has a reputation of never meeting a project that it didn't want to build.

It will require Members of Congress to ultimately be willing to cross projects off a list to prevent taxpayer dollars from going to them. I think we can all be realistic about the chances of that happening.

During the process of this bill moving forward, I suggested Congress ought to give the process some statutory sidebars to ensure that only worthy projects make it through the stringent cost-benefit ratio requirement and tight criteria for what will and will not be reviewed. In addition to making sure the projects themselves are actually worth constructing, a limited budget means that some prioritization will be necessary. I believe it would be prudent to include statutory priorities. Unfortunately, these were not included.

So my concern remains that this process will put us in the same position we have been in recently: Faced with sizable backlogs of authorized Corps projects for varying worthiness, appropriators will be in the position to pick and choose which of those get funded. Again, just because something isn't earmarked doesn't mean it benefits taxpayers. My hope is that once we see how it plays out, Congress will be willing to adjust this process. As it stands now, while I sincerely congratulate those involved for working diligently to move forward in a manner consistent with the earmark moratorium we have, I will not be supporting the WRRDA conference report.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I have come directly to the Senate floor from a terrific event in the Dirksen building where hundreds of people who are concerned about what the carbon pollution is doing to our atmosphere and oceans gathered to wake up Congress. At 5 o'clock a whole bunch of alarms went off down there, and it was a very exciting, very enthusiastic moment with more than 40 members of Congress showing up to reflect our commitment to getting this done.

One of the things I told people at the rally was that we are close to turning this issue around. The barricade of special interest propaganda that has surrounded Congress is eroding. The denial castle is built on sand and the sand is eroding the foundations for that propaganda, washing out from underneath it, and it will collapse soon. Why do I say that? I say that for several reasons.

The first reason that I believe we are close to a win is that for a long time the big polluters have had a free shot at the atmosphere and oceans. Pollution costs them nothing, and that has created a mindset of entitlement and it created a mindset in which pollution was viewed as of no consequence. Thankfully, the President of the United States has required the EPA to promulgate regulations that will for the first time put a price on the carbon pollution that is emitted from our biggest power plants, and the 50 biggest power plants in America put out more carbon than Korea. They put out more carbon than Canada. So this is a very serious situation. When they are faced with the regulation, I think that is not just going to reduce their emissions, but it is going to change the way they see the problem, and they will be motivated in a new way to think: "Wait a minute; what is the best way to solve this problem?" Once they are no longer free to pollute, once the advantage is taken away, the whole equation changes for them, and I suspect that it will not take long between a polluter change in point of view and a change in point of view on the other side of the aisle in the Senate.

The second reason is the politics on this. We have seen a recent poll that I have talked about on the floor before that points out that Republican voters—self-identified Republican voters—if they are under the age of 35 think that climate denial is—not my words, but in the words in the poll—ignorant, out of touch or crazy.

So if you are a modern political party and you have built your climate change policy on a theory of denial that your own youth cohort, your own young voters under 35 think is ignorant, out of touch, or crazy, that is what I mean by a castle that is built on sand and that is doomed to fall.

The third reason I want to mention here is there is a very significant role for America's corporations because what you get in this body from the so-

called self-appointed corporate mouthpieces—the Wall Street Journal editorial page, the so-called U.S. Chamber of Commerce, the National Association of Manufacturers—what you get from all of them is flat out climate denial, the absolute hard stuff—just complete denial, absolute ignorance and ignoring of the science, totally in the tank with the polluters and the oil and coal industry. What is interesting is that actually doesn't represent the views of America's corporate community, and it doesn't represent them by a lot.

If you look at big brand name American corporations, if you look at Coke and Pepsi, if you look at Apple and Google, if you look at WalMart and Target, if you look at Mars and Nestle, UPS and Federal Express, GM and Ford, look at the entire casualty property insurance industry, look at the bulk of the electric utility industry, look at the entire green energy sector, all of them know that climate change is a real problem, understand the undeniable science of what carbon pollution does to the Earth's atmosphere and to our oceans, and they are doing things about it.

They have sustainability policies. They have climate policies. WalMart has probably done more to get rid of the incandescent bulb than any other force on the planet. They are very strong on this issue. But within those great corporations, it tends to be cabined into their corporate business and sustainability divisions. It hasn't really influenced yet the way they communicate with the public, and it certainly hasn't influenced much their government relations. So there is a huge mismatch between the so-called voice of the corporate community, which is really a polluter-paid propaganda effort coming through the Wall Street Journal, coming through the U.S. Chamber of Commerce, and coming through the National Association of Manufacturers—a huge difference between that and what the underlying leaders of what regular Americans think of as the American corporate community believe. That difference is eventually—like these other forces—going to tear apart the foundation of the denial castle.

We have the chance to make this happen and to make this happen soon, and we need to. We absolutely need to. The Presiding Officer is the senior Senator from Connecticut, a State which borders mine. Connecticut and Rhode Island share a critical factor, which is coastline. If you follow the logic, such logic as exists in the denial machinery, they will take you off into distant and complex computer models of what the temperature is going to be and what the atmosphere is going to be like 30 or 40 years from now. And yes, that is complicated. In that area there is room to sow confusion.

Come to the coast. At the coastline you see sea levels rising because of an immutable law of nature called the law of thermal expansion. The ocean is

warming because it has caught more than 90 percent of the excess heat that the carbon has trapped, and when it warms, it expands.

It is as simple as that. That means when you go to my State to the Newport tide gauge off the Naval Station Newport, you see it is 10 inches higher than it was in the 1930s. That is a big deal because in the 1930s we had the hurricane of 1938. And if you look back at the devastation that hurricane caused to our coastline and you adjust for what 10 additional inches of sea would do and adjust again for stacking up that 10 inches in what a storm surge would do, you end up with a truly apocalyptic vision of the Rhode Island shore, and it is not deniable.

You cannot quarrel about a tide gauge. It is in effect a yardstick nailed to a dock, and the water has gone up 10 inches. To deny that is not just to deny science; it is to deny measurement. I think it is a bit of a stretch for even the most ardent of my denier colleagues to deny measurement. With a thermometer you measure that Narragansett Bay is nearly 4 degrees warmer in mean winter water temperature, and that means a lot for fishermen who used to fish for winter flounder. It doesn't take a very complicated test to determine what the acidity of the ocean is and to measure just the way you would measure the acidity in an aquarium. Our oceans are acidifying at the fastest rate that has been measured in 50 million years.

Remember we are a species that has been on this planet as *Homo sapiens* for a little over 200,000 years. So when you are talking about the steepest rate of acidification in millions of years, that is a dramatic shift in the habitability of our planet. If you want to know who that matters to, go to the west coast, go to the oyster fisheries and look at the wipe-out of young oyster species that took place when acidified ocean water got into the growing oysters and killed them all off. It was simply too acidic for their little shells to survive.

These are the harbingers of things to come. These are the undeniable facts. These are the truths the oceans tell us and our coastlines tell us. For all those reasons, I am confident that we will be at serious business to address climate change a lot sooner than the deniers think. The American public simply is not going to put up with a Congress that has become the prisoner to a barricade of special interest propaganda when they know better. Now the American people do, indeed, know better.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS HEALTH CARE

Mr. MORAN. Mr. President, there has been a lot of conversation among many of us here in the Senate and last week in the Veterans' Affairs Committee about the circumstances we find ourselves in at the Department of Veterans Affairs and its ability to provide the necessary care and benefits for our military men and women who have become and are becoming veterans.

What we heard last week at the Veterans' Affairs Committee was very disturbing to me because it still appears that the Department of Veterans Affairs has no plan to solve circumstances our veterans find themselves in. Who in this country would we expect to have access in the most timely fashion to the highest quality of care other than those who served our country and who were promised that? A commitment was made to them to make certain that those benefits would be made available. They were told that would be the case.

I went home this weekend. Part of our job is to help people. Every week at the end of the week I get what is called a weekly State report. I and other members of the Senate have staff who spend significant amounts of time trying to solve people's problems with government. We call it case work.

Every week I get a report of people who called my office to tell me something they want me to know, people who contacted me asking for help with a variety of federal agencies. But it struck me as so evident in reading my report from my State staff about the circumstances that our veterans find themselves in. So every week there is a report that I read generally at the end of the week, on the weekend. It is really page after page of things that have happened involving me and my staff and our relationship with Kansans who have a story to tell, who have a concern to raise, who have a request for how I vote. This week's staff report I thought I would highlight for my colleagues. My guess is that the circumstances that Kansan veterans find themselves in is probably no different for me than it is for my other colleagues here in the Senate.

These are just reports from Kansans who called or stopped by my office or wrote to us this week at home looking for help, asking me to help them solve their problem and telling a story about their relationship with the Department of Veterans Affairs.

A veteran from Hutchinson, KS, called to tell us that he filed a claim with the VA. It has been filed for 6 months, and he is still awaiting a decision. Unfortunately, that is all too common. A veteran from Norton, KS, filed a claim for service due to Agent Orange. He has been diagnosed with cancer and is seeking treatment through the VA. He has been informed that it could take 7 to 8 months before the VA will examine his claim, and while his cancer is not curable, it is treatable. And yet he has a 7- to 8-